IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 1ST SEPTEMBER 2006 / 10TH BHADRA 1928

Bail Appl..No. 5493 of 2006

SC.640/2003 of SUB COURT, HOSDRUG
CRIME NO.496/2001 OF BAKEL POLICE STATION

PETITIONER/ACCUSED.

MOIDEEN, AGED ABOUT 45 YEARS,
S/O. LATE ABOOBACKER, MUNNA MANZIL,
PALLIKKARA MADOM, POST PALLIKKARA, HOSDURG TALUK.

BY ADV. SRI.MURUGAN P.V.

RESPONDENTS: COMPLAINANT.

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/09/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5493/2006

DATED THIS THE 1ST DAY OF SEPTEMBER, 2006

O R D E R

The petitioner was arrested, as he was absconding after obtaining bail from the Assistant Sessions Court, Hosdurg, in S.C.No.640/2003 of that Court. The arrest took place on 14.8.2006, consequent on the warrant. Hence this application under Section 439 Cr.P.C.

2. After hearing both sides and considering the materials that are placed before me, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the competent Court of law.

(b). The petitioner shall be available on all

the posting dates, before the Court below, and he shall not leave the Sessions Division of Kasargode, till the final trial and disposal of the Sessions Case, without the prior permission of the trial Court.

3. If the petitioner is absent without any sufficient reason, the Assistant Sessions Judge, Hosdurg, is at liberty to pass appropriate orders, untrammelled by the directions and granting of the bail, by this Court.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs